



December 11, 2015

Jared Blumenfeld  
Regional Administrator  
ORA-1, USEPA Region 9  
75 Hawthorne Street  
San Francisco CA 94105

**RE: The Nevada State Implementation Plan for the 2012 Annual Primary Fine Particulate Matter NAAQS**

Dear Mr. Blumenfeld:

On behalf of Governor Sandoval, as his appointed designee, this letter transmits to you Nevada's state implementation plan (SIP) for the 2012 annual primary fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS). This "infrastructure" SIP is submitted pursuant to Clean Air Act (CAA) sections 110(a)(1) and (2) and embodies Nevada's plan for meeting the CAA requirements for implementing, maintaining and enforcing the 2012 annual primary PM<sub>2.5</sub> NAAQS. The Nevada Division of Environmental Protection (NDEP) requests approval of this PM<sub>2.5</sub> infrastructure SIP into the applicable Nevada SIP.

The following documents comprise the SIP and are being submitted electronically to USEPA's Central Data Exchange (<https://cdx.epa.gov/CDX/LoggedOut>):

- *The Nevada Division of Environmental Protection Portion of the Nevada State Implementation Plan for the 2012 Annual Primary Fine Particulate Matter NAAQS and attachments.*
- August 20, 2015 letter from the Clark County Department of Air Quality Management (CCDAQ) transmitting their 2012 annual primary PM<sub>2.5</sub> NAAQS infrastructure SIP to the NDEP.
- *The Clark County Portion of the State Implementation Plan to Meet the PM<sub>2.5</sub> SIP Requirements of the Clean Air Act Section 110(a)(2) and attachments.*
- December 4, 2015 letter from the Washoe County Health District-Air Quality Management Division (WCHD-AQMD) transmitting their 2012 annual primary PM<sub>2.5</sub> NAAQS infrastructure SIP to the NDEP.
- *The Washoe County Portion of the Nevada State Implementation Plan to Meet the PM<sub>2.5</sub> Infrastructure SIP Requirements of Clean Air Act Section 110(a)(2) and attachments.*

In addition, the NDEP has adopted amendments to update several provisions of the Nevada Administrative Code (NAC) in support of this infrastructure SIP, including revisions to NAC 445B.2203, 445B.2207, 445B.22096 and 445B.22097 and two new definitions. The amendments (LCB File No. R027-15) are enclosed together with evidence of public participation and adoption. They were adopted by the State Environmental Commission on October 14, 2015 and approved by Nevada's Legislative Commission on October 27, 2015. The regulations

became effective October 27, 2015. Based on Nevada Revised Statutes 445B.205 and NAC 445B.053, the Administrator of the NDEP has the authority to adopt and submit state implementation plan revisions to the USEPA. The NDEP hereby adopts the enclosed regulatory amendments as SIP revisions and requests approval of this submittal into the applicable Nevada SIP.

The enclosed infrastructure SIPs from each of the three Nevada air agencies are organized in table format and list each CAA section 110(a)(2) element and the existing Nevada SIP provisions that satisfy the requirement in each element. The SIPs were developed in accordance with USEPA's September 13, 2013 multipollutant guidance (USEPA, Memorandum to Regional Air Directors, 9/13/13. *Guidance on Infrastructure State Implementation Plan (SIP) Elements Under Clean Air Act Sections 110(a)(1) and 110(a)(2)*. Stephen D. Page). Nevada's PM<sub>2.5</sub> infrastructure SIP selects those regulatory and statutory provisions from the applicable Nevada SIP that address PM<sub>2.5</sub> specifically. This should not be interpreted as an intent to exclude other more general provisions from the applicable SIP from applying to PM<sub>2.5</sub> sources in Nevada. Further, although some of the SIP provisions cited in the NDEP table may not be in state regulation, nonetheless those provisions support the NDEP's authority to implement, maintain and enforce the 2012 annual primary PM<sub>2.5</sub> NAAQS because they are incorporated into the NDEP's title V operating permits and are federally enforceable.

We certify that all portions of the infrastructure SIP were properly noticed; evidence of public participation and adoption is included with the respective submittals. For the NDEP portion of the SIP, the Administrator of the NDEP has the authority to adopt and submit state implementation plans to USEPA (see Appendix F). The NDEP hereby adopts the NDEP's portion of Nevada's infrastructure SIP as SIP revisions and requests approval of this submittal into the applicable Nevada SIP.

With the exception of those elements or sub-elements that depend on a SIP-based PSD program, the NDEP requests that the USEPA propose approval of the enclosed plan to implement, maintain and enforce the 2012 annual primary PM<sub>2.5</sub> NAAQS. The NDEP further requests that generally as provisions in Nevada's applicable SIP are replaced or removed through subsequent approvals by USEPA of SIP revisions submitted by the NDEP, USEPA also replace or remove those provisions in this submittal and all of Nevada's CAA 110(a)(2) SIPs.

If you should have any questions about this submittal or require additional clarification, you may contact Danilo Dragoni, Chief, Bureau of Air Quality Planning at (775) 687-9340.

Sincerely,



David Emme  
Administrator

Enclosures

Jared Blumenfeld, USEPA R9

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cc w/o enclosures:

Sheila Anderson, Policy Analyst, Office of the Governor

Amy Zimpfer, Associate Director, Air Division, USEPA Region IX (AIR-1)

Doris Lo, Acting Chief, Planning Office, USEPA Region IX (AIR-2)

Charlene Albee, Director, Air Quality Management Division, Washoe County Health District

Marci Henson, Director, Department of Air Quality & Environmental Management, Clark County

ec w/o enclosures

Leo Drozdoff, Director, Nevada Department of Conservation and Natural Resources

Danilo Dragoni, Chief, Bureau of Air Quality Planning, NDEP

Submitted electronically to USEPA's Central Data Exchange, <https://cdx.epa.gov/CDX/LoggedOut>